



Rialtas na hÉireann
Government of Ireland

Directly Elected Mayors with Executive Functions: Detailed Policy Proposals

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Prepared by the Department of Housing, Planning and Local Government

housing.gov.ie

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1 Introduction



It should be acknowledged at the outset that there is internationally a great deal of variety in the nature of the office of directly elected mayor, as there is in local government systems. This variety can provide inspiration for potential features of reforms to local government in Ireland. However, adopting a model from abroad, wholesale or otherwise, is not necessarily appropriate to the context of Irish cities. Directly elected mayors have been established within a range of different local government systems and many have grown within specific national and local contexts, needs, and circumstances. Irish cities operate within the context of Irish systems and culture, including political culture, and have requirements that may be individual to them.

It is clear, therefore, that any proposals must respect the combination of requirements and circumstances found in Irish cities. In an Irish context, the local government system has operated on the basis of the division of functions into reserved functions assigned to the elected council of the local authority, which acts as a policy-making and representative body, while the local authority chief executive

is responsible for all other functions (termed executive functions), including a wide range of operations and service provisions.

A basic principle of this paper is that the establishment of an office of directly elected mayor in our city local authorities should add value in some way to our local government system. This added value will not necessarily be financial. Instead, a directly elected mayor could enhance local authority accountability, visibility, democracy or responsiveness, among other possible benefits. Some or all of these benefits may, for example, enhance confidence in a local authority, increase public engagement, enhance service delivery, and aid in improving local authority governance.

The benefits of a directly elected mayor in Irish cities may be significant, if not necessarily quantifiable. However, the full consequences of introducing a directly elected mayor with executive functions are not completely clear. Much could depend on the circumstances and context in which they work, and could also depend on the individual officeholders themselves. Internationally, some directly elected mayors have been extremely successful in improving the life of their communities; some have gained additional powers for their office by virtue of their dynamism and democratic mandate. In some cases, however, directly elected mayors have not demonstrated the value of the office; voters have in some instances chosen to abolish the office of directly elected mayor.

In any case, it is considered that a public information campaign should be launched in Cork City Council, Limerick City and County Council, and Waterford City and County Council local authority areas at the very latest by 12 April, 2019 (ie 6 weeks in advance of the plebiscites) to engage with the electorate and ensure that information is circulated in advance of the plebiscites for directly elected mayors. An information brochure will be circulated to each of the three local authorities at least a month in advance of the plebiscites, containing details in a clear and easy-to-understand format. It is proposed that consideration should be given to holding workshops or conferences with local authority elected members or staff to discuss directly elected mayors.

While this policy proposal paper is intended for Government decision, it will, subject to Government approval, form the basis of information to be subsequently developed and provided to the electorates in the concerned local authorities.

2 Principles

The following proposals are based on a number of key principles:

- 1) Added value: the directly elected mayor must add value, by performing substantial functions in addition to having a representative role for the entire local authority area.
- 2) Subsidiarity: under the principle of subsidiarity, national government should not take action where action could as effectively be taken at regional or local level. Accordingly, it is proposed that as much responsibility as possible could rest at local authority level in respect of arrangements for directly elected mayors, for example regarding oversight of the mayor.
- 3) Empowerment: the directly elected mayor should be as empowered as possible to perform their functions while remaining appropriately accountable. The elected council should retain its functions to the greatest extent possible, adapted as appropriate, and should if possible and feasible gain additional responsibilities.
- 4) Accountability: the directly elected mayor should be subject to accountability that is necessary, proportionate and reasonable, taking into account the mayor's democratic mandate and direct accountability to the electorate.
- 5) Oversight: Given the broad-ranging nature of responsibilities proposed for the role, the proposed oversight arrangements should be robust, wide-ranging, and located at local level in the first instance.
- 6) Duration of mandate: the directly elected mayor should hold office for the duration of the local government electoral cycle (normally 5 years), rather than 1 year as under current arrangements. A shorter cycle for the first filling may be required if the office is to be established in advance of 2024.

3 Role and powers/functions of executive mayors



3.1 Background

The elected council: Local authorities perform a wide range of functions provided for under Government policy and legislation. The elected council, including the Cathaoirleach, of a local authority directly exercises and performs by resolution certain functions which are designated as reserved functions under the Local Government Act 2001 and other relevant legislation; all other functions of the local authority are defined as executive functions and are performed by the chief executive.¹ The elected council has the function of determining by resolution the policy of the local authority, subject to relevant legislation.

Cathaoirligh: Cathaoirligh are assigned functions additional to the reserved functions exercised by the elected council. Under the Local Government Act 2001, as amended, the Cathaoirleach of a local authority takes precedence at all meetings and proceedings of the local authority. The Cathaoirleach also performs a role in

¹ Sections 131 and 149 of the Local Government Act 2001, as amended.

representing the local authority at public and civic events and ceremonies. The Cathaoirleach may also propose a person for a civic honour.²

Under the Act, Cathaoirligh preside over, and are in charge of maintaining order and conducting business at, meetings of the local authority.³ They may call a special meeting of the Council for particular purposes under the Acts.⁴ Where a vote of the council takes place and the numbers of votes are equal, the Cathaoirleach may exercise a second or casting vote as chair of the meeting (though this does not apply to the election of a Cathaoirleach).⁵ They may be furnished with information on request by the chief executive on relevant matters.⁶ The Corporate Policy Group (CPG), which provides a forum for the consideration of policy positions affecting the whole council, is chaired by the Cathaoirleach.⁷ The Cathaoirleach may also direct the chief executive to refrain from doing something, and has a role in relation to appointing a deputy chief executive and an acting chief executive (where the chief executive can no longer perform their role), as well as in relation to potential ethics breaches by elected members or the chief executive.⁸

Chief executives: Chief executives are responsible for all functions of the local authority which are not reserved functions. Many of these functions are related to the day-to-day running of the local authority, which can involve implementing Government policy, carrying out requirements set out in legislation, administering schemes, allocating grants, performing enforcement activities, management of local authority assets, acquisitions, infrastructure-related matters, and tendering for contracts, among others. These activities cover a range of functions, including but not limited to issues relating to transport, roads and parking, social housing, local authority governance, economic development, rural/urban development,

² Sections 31 and 74 of the Local Government Act 2001, as amended; see also *Local Government and the Elected Member*, p.15.

³ *Local Government and the Elected Member*, p.15-16.

⁴ For instance, see sections 134 and 140 of the Local Government Act 2001, as amended.

⁵ Article 12 of Schedule 10 of the Local Government Act 2001, as amended; *Local Government and the Elected Member*, p.15; section 37 of the Local Government Act 2001, as amended.

⁶ Section 136 of the Local Government Act 2001, as amended.

⁷ *Local Government and the Elected Member*, p.15.

⁸ Sections 133, 140 and 148 of the Local Government Act 2001, as amended.; section 174 of the Local Government Act 2001, as amended.

homelessness, sport, Traveller accommodation, water services, emergency and fire services, heritage and culture, and waste.

The Local Government Management Agency is undertaking a project to develop a national service catalogue, which will set out the wide range of services provided by local authorities. This service catalogue will inform the full list of functions to be transferred to directly elected mayors with executive functions.

3.2 The proposed role of the directly elected mayor with executive functions:

It is proposed that the role of the directly elected mayor will be to:

- **Represent the entire local authority area.** As an officeholder elected from across the local authority area, the directly elected mayor will represent and advocate for the interests of the entire local authority area both nationally and internationally.
- **Bridge reserved and executive functions.** Local government legislation divides local authority functions into executive and reserved functions. The directly elected mayor with executive functions would bridge the gap between the two categories of functions.
- **Ensure the implementation of the policy of, and decisions made by, the elected council in relation to its reserved functions.** The directly elected mayor will replace the chief executive as the person responsible for ensuring that all lawful directions of the elected council in relation to the exercise and performance of the elected council's reserved functions are carried into effect. The chief executive will implement these directions of the elected council on the mayor's behalf, under the oversight of the mayor.
- **Ensure that the executive functions of the local authority are performed effectively and efficiently.** As the person legally responsible for the performance of the local authority's executive functions, the directly elected mayor will be responsible for ensuring that executive functions are performed effectively and efficiently. The chief executive will carry out these executive functions on behalf of the mayor. The mayor will oversee the performance of the chief executive.

- **Policy-making and policy preparation.** Where legislation requires, the directly elected mayor will be responsible for drafting and presenting policies to the elected council of the local authority, for the council's approval. Where existing arrangements provide that the chief executive is responsible for setting policy for the local authority, the mayor will assume that responsibility.
- **Act as leader of the elected council.** The directly elected mayor will, as under existing arrangements, preside over council meetings and provide leadership to the elected council.

The directly elected mayor will **not** have a role in:

- The performance of certain executive functions currently exercised by the chief executive insofar as they relate to individual instances of those functions, e.g. allocating social housing to individuals or families, or approving individual planning applications, or granting licences or permits. These functions will remain the legal responsibility of the chief executive, and be carried out in line with policies approved by the Council.
- Enforcement matters insofar as they relate to individual instances, such as planning enforcement. These functions, as at present, will be carried out by the chief executive, in line with policies approved by the Council.
- Exercising a second or casting vote when voting on a policy, plan, budget or other item that they have prepared and proposed to the elected council.

Broadly speaking, it would be inappropriate for the directly elected mayor to have a role in relation to individual cases, applications, enforcement matters, grant allocation and revenue-gathering activities. These functions will be performed by the chief executive on behalf of the local authority.

A provision to preclude the directly elected mayor from involvement in individual cases or matters could be included in legislation. This could be similar to section 30 of the Planning and Development Act 2000, as amended, which precludes the Minister from involvement in particular cases. Arrangements similar to those in the Department of Employment Affairs and Social Protection, where Deciding Officers

are independent in their decision-making, could be put in place. This is provided for under Part 10 of the Social Welfare Consolidation Act 2005, as amended.

3.3 Functions of the directly elected mayor:

3.3.1 Reserved Functions – in principle

It is proposed that the directly elected mayor would be an *ex officio* member of the elected council. He or she would perform the functions, including reserved functions, currently exercised by local authority cathaoirleach/mayors/lord mayors, adjusted as appropriate. This would encompass a civic and representational role, where the mayor would act as the ‘face’ of the city both domestically and internationally. The directly elected mayor would, as an *ex officio* member of the council, also perform the reserved functions of the local authority.

As the directly elected mayor will be a member of the elected council, the number of members of the councils of Cork City, Limerick City and County, and Waterford City and County will increase by one in each case (though the mayor will not receive the elected member representational payment in addition to his/her remuneration as Directly Elected Executive Mayor). Sections 21 and 22, and schedule 7, of the Local Government Act 2001 (as amended) provide for the number of elected members in each local authority. Establishing a directly elected mayor who is also an additional member of the elected council will therefore require changes to the Local Government Act 2001.

3.3.2 Executive functions – in principle

It is proposed that, as a starting point, responsibility for executive functions could be transferred to a directly elected mayor.

- This initial position will be modified to accommodate identified exceptions.
- This approach is flexible, to fit the potentially different ranges of services carried out by different local authorities, and starts from the point of assigning maximum responsibility to a democratically elected mayor.
- Given the potentially very wide range of functions which may be performed by local authorities, including many operational and highly technical matters, the

directly elected mayor's role will need to be supported by a chief executive officer⁹.

- The directly elected mayor would be responsible for developing and achieving the agreement of the elected council on policies (in line with overall Government Policy). The implementation of those policies would be for the chief executive and his staff. The directly elected mayor would be accountable to the elected Council (and the electorate) for the achievement of policy objectives.
- Certain executive functions would remain the legal responsibility of the chief executive, specifically those involving individual cases, applications, enforcement matters, grant allocation and revenue-gathering activities.

For the purposes of this paper, a short analysis of how responsibility for some of the main local authority functions would be assigned to a directly elected mayor is provided. This is to demonstrate how the principles set out above would apply to the assignment of functions to a directly elected mayor. As part of follow up to a positive vote in the three plebiscites in May, further detailed examination of the wide range of legislation and policies across all Government Departments, which are applicable to the work of local authorities, will be necessary. The full functions to be assigned to the directly elected mayor would be identified as part of that process. It is anticipated that amendments to a wide range of legislation will be necessary in order to establish the office of a directly elected mayor with executive functions.

3.3.3 Housing functions

It is proposed that responsibility for all local authority housing-related executive functions would be assigned to the directly elected mayor. In general terms, these would involve managing the following processes related to housing services:

- the application process for social housing
- the assessment scheme for social housing applications
- adoption of a traveller accommodation programme

⁹ In the Greater London Area, the Chief Officer is also the Head of Paid Service, who performs the staff appointment function for the metropolitan body. <https://www.london.gov.uk/about-us/governance-and-spending/sharing-our-information/assistant-directors-and-heads-service>

- social housing maintenance
- the tenant purchase scheme
- the rent differential scheme
- evictions from social housing.

A number of these services are governed by and delivered on the basis of national government policies and legislation. Some are also performed on the basis of policies agreed by the elected council, for example, the local authority's social housing rental or evictions policies, which are reserved functions of the council. The mayor would also have a role in adopting these policies in his/her capacity as a member of the elected council.

It is not proposed that the directly elected mayor would be involved in executive functions associated with individual housing related matters. Legislative provision would be made to ensure that these activities would remain as executive functions of the chief executive.

3.3.4 Planning and Development

The directly elected mayor will play an important new role in strengthening public engagement in the development of strategic planning policy through the development plan and local plan making process, with responsibility for articulating a strategic vision in terms of proper planning and sustainable development at the commencement of plan review processes and giving strategic direction at key intervals thereafter in preparing and adopting statutory plans.

However, in view of the issues identified by the Mahon Tribunal with planning at local authority level, it is proposed that the executive functions to be assigned to the directly elected mayor would exclude a number of executive functions concerning planning matters.

Accordingly, the mayor would:

- Lead the preparation of initial public consultation papers on the development plan review process, setting out the mayor's vision for the area of the plan as regards proper planning and sustainable development to seek out the public's

views, followed by setting a strategic direction for the drafting of the written statement of the relevant plan thereafter

- Have a strategic role in proposing to the elected council for approval the local development plan.
- Propose developments, like Part 8 developments¹⁰ in accordance with Part 11 of the Planning and Development Act 2000 (as amended), to the elected council.
- Propose Local Area Plans to the Municipal District and thereafter to the elected council.
- As an *ex officio* member of the elected council, s/he would also exercise any planning related reserved functions of the council, including the adoption of the draft local development plan and approval of part 8 developments.

Other executive planning functions, such as the granting of planning applications or enforcement matters, would continue to be carried out by the chief executive, as under existing arrangements.

In proposing to assign to the directly elected mayor the preparation of the Local Development Plan, the following is noted:

Oversight:

- Reserved planning functions are already performed by the elected council.
- There are already arrangements for the necessary oversight of planning functions in place. An Bord Pleanála, the Ombudsman, and the Office of the Planning Regulator all exercise an oversight function in relation to local authority planning.
- Indicators in relation to planning in local authorities are reported on by the National Oversight and Audit Commission (NOAC), which is independent in the performance of its functions.

¹⁰ A development carried out by the local authority

Strategic role:

The National Planning Framework (NPF), which has a statutory basis, is part of a national planning hierarchy. Regional Spatial and Economic Strategies (RSEs) are required to be consistent with the NPF, and Local Development Plans are required to be consistent as far as is practicable with the relevant RSEs.¹¹ Local planning must therefore be consistent with national priorities, and the Office of the Planning Regulator will oversee compliance with this system. Accordingly, it is not considered that a role for an executive mayor (beyond those proposed above) is required to enhance accountability in the planning system.

However, although it is not envisaged that executive mayors should exercise extensive executive functions in relation to planning, there is an argument to be made for involvement in strategic planning at the regional or metropolitan level. This might include, for example, giving executive mayors seats on the Southern Regional Assembly.

3.3.5 Roads

The Roads Acts set out the specific reserved functions of local authorities at plenary or at municipal district level in relation to roads. At plenary level, these functions include

- The making of representations by a road authority to the National Roads Authority and to the Minister for Transport regarding a proposed national road alignment,¹²
- The making of a scheme for a system of tolls for regional or local roads¹³ and toll byelaws in relation to a regional road or a local road¹⁴,
- Entering into an agreement for financing, maintenance, construction and operation of toll roads in relation to a regional road or a local road¹⁵,

¹¹ Sections 10 and 23 of the Planning and Development Act 2000, as amended.

¹² Section 22 of the Roads Act 1993

¹³ Sections 57 and 60 (as amended by sections 271 and 273 of the Act of 2000) of the Roads Act 1993.

¹⁴ Section 61 (as amended by section 274 of the Act of 2000) of the Roads Act 1993.

¹⁵ Section 63 (as amended by section 275 of the Act of 2000) of the Roads Act 1993.

- The making of bye-laws to regulate and control skips on public roads and the consideration of objections or representations in relation to the draft bye-laws¹⁶.

The directly elected mayor would perform these reserved functions as a member of the elected council.

There are a range of other roads-related functions performed by local authorities which are executive functions and would therefore be the direct responsibility of the directly elected mayor. These include the management of regional and local road improvements and maintenance, whether funded through central government or the local authorities' own funding.

3.3.6 Corporate Functions

The directly elected mayor would be responsible for a range of corporate activities, including drafting for adoption by the elected council of

- the local authority 5 year corporate plan (under section 134 of the Local Government Act 2001 (as amended)) ,
- the service delivery plan (under section 50 of the 2001 Act),
- the schedules of municipal district works (under Section 103A of the 2001 Act as (amended)),
- the fire and emergency operations plan (under section 26 of the Fire Services Act 1981).

The mayor would also be responsible for the preparation of reports to the elected council, including the annual report, reports on the performance of executive functions and the implementation of the elected council's directions relating to its reserved functions. The mayor would also provide advice to the elected council on its policies and would be responsible for acting on the local authority's behalf in legal actions or proceedings.

It is proposed also that the mayor would chair the Joint Policing Commission.

¹⁶ Section 72 of the Roads Act 1993

3.3.7 Finance Functions

It is proposed that the directly elected mayor would be responsible for drafting the local authority's annual budget and working to achieve its adoption by the elected council. This is the single most important function as council approval of the budget facilitates the delivery of all local authority services. The mayor would also draw up the three-year capital budget of the local authority.

It is proposed that the chief executive would continue to have responsibility for executive functions relating to the management of the local authority's accounts and financial statements under Part 12 of the Local Government Act 2001 (as amended), and the code of practice issued by the Minister under section 107 of the Act. The chief executive would be accountable for the local authority's use of funds and related matters. The chief executive would retain responsibility for accounting to the elected council for use of local authority monies. The chief executive would therefore perform a role similar to the role of Accounting Officer, generally performed in Government Departments by Secretaries General. The chief executive would continue to be accountable in this regard, as under current arrangements, to the elected council, the Local Government Audit Service and the audit committee of the local authority.

3.3.8 Staffing and Organisational Functions:

It is proposed that chief executives will continue to be responsible for staff-related matters, including appointments up to and including Director of Services level, and the mayor will have no role in this respect. The chief executive's remit in respect of staff will continue to include functions where the chief executive nominates a member of staff to act on his behalf or assigns functions to a member of staff (such as under section 46 of the Local Government Act 2001 as amended, which provides for the assignment of the duties of meetings administrator by a chief executive to a local authority employee).

This is similar to arrangements in Civil Service Departments, where the Secretary General is responsible for all appointments, performance, discipline and dismissal of

civil servants below the grade of Principal Officer (or equivalent)¹⁷. Chief executives of local authorities should continue to be responsible for local authority staff recruitment, appointment, assignment of duties, performance, discipline and dismissal.

The mayor will have a role in relation to overseeing the performance of the chief executive (see below).

3.4 Review of Functions

At the end of each mayoral term of office, there would be a systematic Government review, to be laid before the Oireachtas of the powers assigned to the mayor.

Strong performances by directly elected mayors could potentially strengthen the case for devolution of functions to local authorities by demonstrating the capacity of local authorities to deliver functions efficiently and effectively. In addition, the mayor would be able at any point during his or her term of office to make a submission to the Government for further powers to be devolved to him or her. The formal cyclical review of the mayor's functions would, however, make it a requirement for a dialogue to take place between the mayor and the Government about the functions that could and should be held by the mayor.

¹⁷ Sub-section 4(h) of the Public Service Management Act 1997 provides for the duties of the Secretary General in respect of staffing arrangements.

<http://www.irishstatutebook.ie/eli/1997/act/27/section/4/enacted/en/html#sec4>

4 Governance framework: mayor's relationship to the chief executive and to the elected council



4.1 Background

Under existing arrangements, the chief executive is responsible for the executive functions of the local authority.¹⁸ He or she is subject to the oversight of the elected council. While the proposed relationship between the directly elected mayor and the chief executive is more closely based on the relationship between a Secretary General of a Government Department and a Government Minister, there would be some adjustments due to the differences between accountability structures for local authorities and for central government departments.

4.2 Relationship between directly elected mayor and chief executive

It is proposed that an executive mayor would have a similar relationship to the local authority chief executive as a Government Minister has to a Secretary General of a

¹⁸ Section 149 of the Local Government Act 2001, as amended.

Government Department, adjusted appropriately.¹⁹ This model is fully in place at central government level, and is effective, understood and robust. It must be acknowledged, however, that adopting this proposal would mean a significant shift in long-established local government practice in Ireland.

It is proposed that chief executives would be responsible for advising the mayor and implementing the decisions of the mayor in respect of the executive functions held by the mayor, similar to the role performed by the Secretary General to the Minister. The directly elected mayor would however be accountable to the elected council (and the electorate) for the achievement of policy objectives.

As discussed previously, a number of executive functions would remain with the chief executive in each of the local authorities concerned. The chief executive would continue to carry them out as under present arrangements and would not be subject to any additional oversight by the mayor. This would be the case with HR-related functions, which the chief executive would continue to be responsible for as provided under section 159 of the Local Government Act 2001, as amended.

This would be similar to, for example, the carrying out of human resources functions by Secretaries General in Civil Service departments. Where the chief executive retains specific executive functions, existing oversight arrangements for the performance of those functions would continue to apply including those in respect of the elected council of the local authority. Those arrangements would include the requirement to provide policy advice to the elected council, reporting in advance on the performance of executive functions or informing the elected council of planned expenditure.²⁰

Local authority functions are extraordinarily wide and include matters such as, for instance, housing allocations or granting licences or permits for a variety of activities.

¹⁹ See the *Corporate Governance Standard for the Civil Service* document for more information on the relationship between Ministers and Secretaries General. Available at: <http://www.per.gov.ie/en/corporate-governance-standard/>

²⁰ Sections 48, 136 and 104 respectively of the Local Government Act 2001, as amended.

It would be inappropriate for a directly elected mayor to be involved in individual cases. Such functions would remain as executive functions of the chief executive.

The relationship between a Government Minister and the Secretary General of the Department to which the Minister has been assigned is based, *inter alia*, on the Constitution and on legislation, including the Ministers and Secretaries Acts 1924 to 2013, and the Public Service Management Act 1997. The relationship therefore has constitutional as well as legislative sanction and has been subject to a variety of legislative provisions over a relatively long period of time.

By contrast, the roles of local authority Cathaoirligh and chief executives are set out in the revised Local Government Act 2001, and any other relevant legislation. Putting in place a Minister-Secretary General-style relationship, appropriately adjusted, between local authority executive mayors and chief executives would require legislation amending the existing relationship between chief executives and Cathaoirligh, and instituting new arrangements.

It is proposed that the chief executive would continue to be accountable for the local authority's use of funds and related matters. This is in line with the Minister-Secretary General model, where the Secretary General is generally the Accounting Officer for their Department.

4.3 The role of the elected council:

To respect the principle of subsidiarity, it is proposed that the elected council would be the body with responsibility for oversight of the mayor in the performance of his or her functions.

4.3.1 Oversight of the directly elected mayor:

It is proposed that the elected council should be able to direct the mayor to refrain from doing a particular act²¹. Similarly, the powers under section 140 of the Local Government Act 2001 (as amended) to require that a particular thing be done should remain with the elected council in respect of the directly elected mayor.

²¹ In accordance with sections 139 of the Local Government Act 2001 (as amended)

It is proposed that, in addition to applying to the mayor the mechanisms for oversight currently exercised by the elected council in relation to the chief executive such as the monthly chief executive's report, the directly elected mayor would also be obliged to have questions and answers sessions on a regular basis. Councillors would submit questions in advance and would be able to debate a certain number of questions with the mayor in each session. This would be similar to Leader's Questions in the Houses of the Oireachtas, and would allow the elected council to obtain information from the mayor and hold him or her accountable in a formal, public way. Implementing this measure would require legislative provision.

Oversight arrangements which apply to the chief executive, such as provisions regarding ethics in public office, lobbying, and conflicts of interest, will also need to be applied as appropriate to the directly elected mayor.

4.3.2 Recalling/removing the directly mayor:

As part of its oversight role, the elected council could:-

- Initiate a process of removing the mayor from office, and
- Instigate a recall petition or plebiscite.

These proposals will be developed further in section 5 relating to general oversight arrangements.

4.3.3 Election of a deputy mayor:

There should be a deputy mayor in each of the three local authorities. The deputy mayor would be nominated by the directly elected mayor from among the membership of the local authority, and would be approved by a vote of the council. The deputy mayor would be elected for a one-year term. Where necessary and as appropriate, the deputy mayor would deputise for the directly elected mayor in presiding over the council and fulfilling civic and representational activities. The deputy mayor would be an ex-officio member of the Corporate Policy Group. In the event that the directly elected mayor was incapacitated or otherwise unable to perform his or her functions, the deputy mayor would take the place of the directly

elected mayor until such time as a new mayor could be elected. A new election should be held within three months of this date.

4.3.4 Adoption of the annual budget:

The directly elected mayor will propose the draft annual budget to the elected council, as part of his or her executive functions. In view of its significance, it is important to ensure that the passing of the annual budget by the elected council is prioritised. If agreement within the elected council on the budget is not possible, contingencies should be in place to ensure that local authorities are able to continue to deliver services. The contingencies proposed are as follows:

- The draft budget proposed by the mayor would be considered adopted unless two-thirds of the elected council vote against it. This will ensure continuity of service delivery at local authority level and respect the directly elected mayor's mandate, while ensuring that the elected council continues to have a central role in the local authority budget process²².
- Existing provisions whereby the Minister can direct the elected council to amend the annual budget, if insufficient, should remain in place and be extended to allow the Minister direct the directly elected mayor to propose a sufficient budget. It is proposed that the provisions of Section 216 of the 2001 Act (as amended) regarding the removal of the elected council from office would remain, and could be extended to include the Directly Elected Mayor.

4.3.5 Mayoral Programme:

It is proposed that, at the start of his/her term of office, the directly elected mayor would submit a programme of office – similar to a programme for government at national level – to the Council for approval. The programme would be required to be agreed within 3 months of the mayor assuming office. This would be to facilitate agreement and policy coherence within the Council. (This programme would be similar to the recommendation in the *Report of the Expert Advisory Group on Local*

²² UK model

Government Arrangements in Cork that mayoral candidates present a policy programme setting out priorities for their term in office.²³⁾

Summary tables of the roles of the directly elected mayor, chief executive, and elected council:

Directly elected mayor		Chief Executive	Elected Council
Role	Elected executive head of the local authority (including for representational and civic functions)	Managing the local authority	To determine by resolution the policy of the local authority Representational and civic role
Functions	<p>Responsible for executive functions, i.e. all functions of the local authority that are not reserved functions of the elected council as set out in legislation and Government policy, other than the identified exceptions of planning and staffing functions, which will be performed by the chief executive (insofar as they are not reserved functions)</p> <p>Implementing the policy of the local authority as set by the elected council</p> <p>Implementing Government policy and</p>	<p>Providing advice to the directly elected mayor</p> <p>Implementing the decisions of the mayor in respect of the executive functions held by the mayor</p> <p>Managing all staffing matters up to and including director of services level</p> <p>Accounting for the finances of the local authority</p> <p>Managing and implementing executive</p>	<p>Reserved functions as set out in legislation, including the adoption of the local authority budget, adoption of the local development plan, nomination of SPC and Municipal District Chairs, the determination of the Annual Rate on Valuation, and adopting a Local Property Tax variation.</p> <p>Providing oversight of the</p>

²³ *Report of the Expert Advisory Group on Local Government Arrangements in Cork*, p.95.

	<p>legislation relevant to the local authority</p> <p>Overseeing the work of the chief executive</p>	<p>functions retained, e.g. planning decisions</p>	<p>directly elected mayor</p> <p>Providing oversight of the chief executive in respect of executive functions held by the chief executive</p>
Accountability	<p>Accountable to the elected members of the local authority in the first instance. The Houses of the Oireachtas also have a role in removing the mayor</p> <p>Scrutinised by the Local Government Audit Service, the National Oversight and Audit Commission, and the Standards in Public Office Commission, and the local authority's Audit Committee</p> <p>Directly accountable to the electorate</p>	<p>Accountable to the directly elected mayor in the performance of the mayor's functions</p> <p>Accountable to the elected Council in respect of executive functions retained</p> <p>Scrutinised by the Local Government Audit Service (LGAS), the National Oversight and Audit Commission (NOAC), and the Standards in Public Office Commission (SIPO)</p>	<p>Accountable to the electorate</p> <p>Individual members are accountable to the elected council</p> <p>Scrutinised by LGAS, NOAC, and SIPO</p>

5 General oversight of the mayor and ethical requirements



As outlined in the previous section, it is proposed that the mayor would in the first instance be accountable to the elected council of the local authority. This is in line with the principle of subsidiarity, and is an organic continuation of present arrangements.

5.1 Oversight by the elected council

The elected council would be the primary body to hold the mayor to account.

5.2 Code of Conduct

A mayoral code of conduct should be drawn up, and signed by the mayor, to provide a practical guide to the conduct expected of the mayor while in office.

5.3 Removal of the mayor

It is proposed that the elected Council should be able to remove a directly elected mayor from office, in cases where there is stated misbehaviour, physical or mental incapacity, or a major failure to perform functions, such that the removal of the mayor appears to be necessary for the effective performance of his or her functions²⁴.

However, as a directly elected mayor would have a large democratic mandate, this measure should only be possible under the serious conditions described above.

Accordingly, the elected council would initiate the removal process by passing a resolution to request the removal of the mayor from office, with the support of no less than 75% of the elected members of the local authority. Following the successful passing of the resolution by the local authority, a 'double-lock' would be achieved by seeking Ministerial confirmation of the elected council's decision to remove the mayor. The threshold involved is extremely high with the aim of ruling out vexatious or politically motivated resolutions to remove the mayor. It is also proposed that such a resolution could not be undertaken again within a 6 month period.

5.4 Recall of the mayor

It is proposed that there should also be a recall mechanism for the directly elected mayor, which gives the electorate a say in the matter. Such processes are in place in other jurisdictions for removing officeholders from their positions. A brief sampling of some of the processes used internationally is given below.

- In the House of Commons in the United Kingdom, a petition to recall a Member of Parliament may be opened if certain conditions have been met (e.g. if an MP has received a conviction and custodial sentence for an offence, or if they are barred from the House of Commons for 14 days). In the event that 10% or more of the electorate in the MP's constituency signs the recall petition, a bye-election takes place in the MP's constituency; the MP who has been recalled may stand for office in the by-election.²⁵

²⁴ This is in line with Sub-section 146(1)(a) of the Local Government Act 2001 (as amended)

²⁵ See a pamphlet issued by the UK Electoral Commission (August 2016) *Introduction to the Recall of MPs Act 2015*. Available at:

https://www.electoralcommission.org.uk/_data/assets/pdf_file/0004/184324/Recall-Act-Factsheet.pdf

See also the Recall of MPs Act 2015. Available at: <https://services.parliament.uk/bills/2014-15/recallofmps.html>

- It is understood that in France, mayors (who are elected by the elected council of the *commune*) may be removed by a decision of the *conseil des ministres* (approximately equivalent to the Government in Ireland).²⁶
- In San Diego, a recall election to remove the directly elected Mayor may be initiated by a petition to do so that gains the signatures of 15% of the City's electorate. The Mayor of San Diego is removed from office upon a majority vote of the electorate; his or her successor is elected in the recall election.²⁷

It is proposed that a recall process would begin by the elected council passing a resolution with a two-thirds majority to trigger either

(i) a recall petition

If 20% of the registered electorate in the area sign a recall petition within a period of 6 weeks of the Council resolution, a bye-election for mayor is held; or

(ii) a recall plebiscite

Within 6 weeks of the Council resolution, the electorate would be asked to vote in a plebiscite on the removal of the mayor. The recall of the mayor would be triggered if a simple majority is achieved in the plebiscite based on a minimum turnout of 40% of the electorate. Anyone in the local authority area eligible to vote in local authority elections would have a vote in a mayoral recall plebiscite. A mayoral election campaign would be scheduled to take place at the earliest possible date after a decision of a recall plebiscite to remove the mayor.

The recalled mayor would be eligible to stand in the mayoral election, assuming that they continued to be eligible for local authority membership. It is proposed that such a recall petition or plebiscite could only be held once during the term of office of the mayor.

²⁶ See Article L2122-16 of the *Code général des collectivités territoriales*. Available at: https://www.legifrance.gouv.fr/affichCodeArticle.do?sessionId=6FCADDEE1D1DC8EFE4B1FB7C74AFB13B.tplqfr26s_2?idArticle=LEGIARTI000006389935&cidTexte=LEGITEXT000006070633&dateTexte=20190116

²⁷ Full requirements and details are given here: <https://www.sandiego.gov/city-clerk/elections/process/recall>

5.5 Existing oversight arrangements

Local authorities are autonomous entities which operate within a framework of policy and legislation set by Government, and are subject in some matters to Government directions. This should continue to be the case should directly elected mayors be established.

It is proposed that the performance of functions by the mayor would be subject to the current suite of oversight arrangements in place for local authorities. This would include the Local Government Audit Service, the National Oversight and Audit Commission, the Standards in Public Office Commission, the Ombudsman, the Office of the Planning Regulator and the Data Protection Commissioner, as well as the Freedom of Information Acts, Protected Disclosures legislation and the internal audit function of the respective local authorities.

5.6 Ethical issues

Under present arrangements, the ethics registrar of a local authority must bring any possible contravention of the ethics framework by the cathaoirleach as provided for in Part 15 of the Local Government Act 2001 (as amended) to the attention of the chief executive. These arrangements would continue. Complaints made about the directly elected mayor would be made to the chief executive.

6 Risks and areas of concern



There may be a number of areas where there is potentially risk of sub-optimal outcomes, following the establishment of directly elected mayors with executive functions as proposed above. These are set out below, along with measures proposed to mitigate the risk identified.

6.1 The mayor and individual cases/applications

There is a risk that there would be an incentive for directly elected mayors to become involved in individual cases, applications, allocations or other matters. The mayor's responsibility for the financial affairs of the local authority means that accountability and transparency are of particular importance to the proper functioning of the office.

- To mitigate this risk, it is proposed (above) that these executive functions would remain functions of the chief executive.
- The directly elected mayor will not be responsible for organisational, staffing or human resources-related functions. These will remain the statutory responsibility of the chief executive.
- In addition, the elected council will oversee the performance of the mayor and hold him or her publicly accountable.

- The local authority's performance will be overseen by the Local Government Audit Service and the National Oversight and Audit Commission (NOAC). The Audit Committee of the local authority will also review the local authority's financial and budgetary reporting practices, and audited financial statements and auditor's reports.
- A range of measures ensuring oversight of the mayor has been discussed in this paper. More may be added over time as deemed necessary. The role of the elected council in ensuring rigorous oversight of the mayor's activities is emphasised.
- There should be a mayoral code of conduct, signed by the mayor, setting out the ethical demands of the role. Should the mayor be deemed to have breached the code by a SIPO investigation, it could be grounds for triggering a removal or recall process.
- It is also proposed that the disqualifications from local authority membership set out under section 13 of the Local Government Act 2001, as amended, should be applied to the office of directly elected mayor.

6.2 Effective performance

There is a risk that the mayor may not perform his or her functions efficiently and effectively, leading to poor service delivery and other undesirable consequences.

This is mitigated in the following ways:

- The mayor is accountable to the electorate and holds office for a limited term.
- The elected council will have a role in holding the mayor accountable, through reporting and oversight arrangements as well as scheduled Mayor's Questions sessions.
- The mayor will be subject to the removal and recall mechanisms proposed above, meaning that he or she may be removed from office.

6.3 Executive functions split between mayor and chief executive

Splitting executive functions between the directly elected mayor and the chief executive means that both would be accountable to the elected council. This arises in the case of certain planning functions, which, as described above, would remain with the chief executive. This could potentially lead to added complexity and possible confusion over responsibility for executive functions, making appropriate accountability more challenging to achieve, particularly since there would be some differences in the accountability arrangements that apply to the mayor and the chief executive.

There is a risk in splitting executive functions between the directly elected mayor and the chief executive while establishing a reporting relationship between the two, in that there would be the potential for the mayor to exercise indirect influence over the chief executive, for example, in relation to executive planning functions.

6.4 Term of Office

It is considered that a 5-year mandate would allow the directly elected mayor time to establish him- or herself, build a close working relationship with the elected council and chief executive, and gain familiarity with the demands of discharging the responsibilities of the position. A shorter term, while not invalid, would allow less time. There would also be extra costs associated with holding more frequent mayoral elections. A full term, 5 year term of office for the role of directly elected mayor with executive functions is therefore recommended. Subsequent to a positive vote in the plebiscites, legislation would be brought forward to enable the first elections to take place in 2022, and a shorter cycle is envisaged in that instance. It is proposed that the election of the directly elected mayor would thereafter coincide with the normal local electoral cycle.

The mayor would be permitted to serve for no more than two full terms only.

6.5 Mayoral titles

It is recognised that in the event that directly elected mayors are established, there should be clarity regarding the use of the title of mayor. The directly elected mayor

would have a direct democratic mandate from the entire local authority area and would exercise a representational role at the national and potentially the international level. It is of particular importance therefore that there should be no confusion between the directly elected mayor and the cathaoirligh of the municipal or metropolitan districts of the local authority. All civic functions would reside in the Directly Elected Mayor, with the option open to the Directly Elected Mayor to delegate to the Deputy Mayor or the chair of a municipal district if s/he sees fit to do so, providing that such a delegation is applied in a uniform and consistent manner across all municipal districts.

It is proposed that the directly elected mayor of Cork City Council will have the title of Lord Mayor (in Irish, Ard-Mhéara).

In the cases of Limerick City and County Council and Waterford City and County Council, the directly elected mayor of the local authority will have the title of Mayor (in Irish, Méara). The chair of any municipal or metropolitan district of these two local authorities have the title of Cathaoirleach, with no option for a title in English. The deputy of a directly elected mayor will have the title of Deputy Mayor or Deputy Lord Mayor, as appropriate. The deputy chair of a municipal or metropolitan district will have the title of Leas-Cathaoirleach.

7 Nomination process for directly elected mayors

It is proposed that the nomination process for a candidate to run in the election for a directly elected mayor should be aligned with that of the nomination process for a candidate for Dail Éireann. The procedures would be as follows:

- A candidate may nominate himself or herself or may, with the candidate's consent, be nominated by a proposer. A proposer must be registered as an elector in the local authority area for which he or she proposes to nominate the candidate.
- A nomination paper from a candidate of a registered political party must have a certificate of political affiliation attached.
- If no certificate is attached, the completion of statutory declarations by 250 assentors registered as electors in the local authority area, which must be witnessed by a Commissioner for Oaths, a Peace Commissioner, a Notary Public, a member of the Garda Síochána or an official of the registration authority, is necessary before the expiration of the time for receiving nominations.

8 Running for election as mayor and councillor

It is proposed that should a candidate be successful in running for election as a councillor and as a mayor, and opts to hold the mayoral office, then his or her place on the elected council should be treated as a casual vacancy and filled by co-option as under existing provisions for filling casual vacancies. The mayor would be an *ex officio* member of the elected council; holding another place on the council as an elected member would be unnecessary and inappropriate. While it is recognised that this could be perceived as a double electoral win for the candidate in question, the main policy alternative would be to refuse the right to candidates to stand in both the local and mayoral elections, an option not proposed.

It is envisaged that members of the Oireachtas and MEPs would be free to run for election to the role of Directly Elected Mayor, but would not be free to hold a dual mandate and would have to relinquish their Oireachtas or European responsibilities in advance of taking up the office of Mayor.

9 Estimated costs and potential benefits of proposals



9.1 Background:

Based on the civil service model, the mayor would be provided with offices and administrative support separate from that of the chief executive. The cost of this should be met from local authority resources.

- The mayoral allowances and representational payment currently received by mayors/lord mayors/cathaoirligh of the relevant local authorities are set out in the table below:

Mayor/Lord Mayor/Cathaoirleach	Mayor's/Cathaoirleach's allowance per annum	Representational Payment per annum²⁸	Total per annum²⁹
Cork City Council	€30,000	€17,060	€47,060
Limerick City and County Council	€30,000	€17,060	€47,060
Waterford City and County Council	€30,000	€17,060	€47,060

- This paper does not propose any change in the level of remuneration currently provided to local authority Chief Executives, as they will continue to perform executive functions on behalf of the directly elected mayor and executive functions for which they are directly responsible.

9.2 Salary of directly elected mayor executive functions

There is a number of possible options for the salary of the directly elected mayor, which should reflect the responsible nature of the office as well as its status and dignity. The mayor's salary could be constituted from the following payments:

- The directly elected mayor's salary could be pegged at the basic salary of a TD, which is currently €94,535.
- The directly elected mayor's salary could be pegged at 100% of a Minister of State's salary, which is currently €129,854 per annum (consisting of a TD's salary of €94,535 plus a Minister of State allowance of €35,319).

It is proposed however that the appropriate level of remuneration for the position of directly elected mayor with executive functions could be equivalent to that of a Minister of State.

²⁸ From 1 October 2018.

²⁹ Exclusive of any other allowances or expenses received from the local authority or any other bodies.

9.3 Additional allowances

Directly elected mayors should receive an enhanced annual vouched expenses allowance, in recognition of the directly elected mayor's mandate from across the entire local authority. This enhanced annual vouched allowance should be set at €16,000 per annum, which is the same amount payable to Ministers and Ministers of State under the Public Representational Allowance. It is not proposed that mayors could receive expenses in respect of establishing or maintaining a constituency office, as they would have their own office in the local authority headquarters. Neither is it proposed that a mobile phone allowance would be payable to the directly elected mayor as it is expected that this would be provided by the local authority.

9.4 Right to appoint advisors and other staffing matters

It is proposed that the directly elected mayor could have, in addition to administrative and research support from local authority staff, a special adviser and a programme officer appointed by him or her to provide personal assistance and policy support.³⁰ It is envisaged that their roles will be similar to those of special advisors/programme officers appointed by Ministers.

- At present, the appointment of special advisers to Ministers must be approved by Government; the appointment of special advisors from outside the Civil Service must be sanctioned by the Taoiseach. However, this may not be appropriate for directly elected mayors of local authorities. Instead, it is proposed that mayors could be permitted to appoint their special advisors at their own discretion, subject to the Minister's approval.
- The special adviser and programme officer appointed by the mayor could receive remuneration at a similar level to special advisors to Ministers and Ministers of State, at the level of a local authority Senior Executive Officer.
- An existing local authority officer could act in a similar capacity to a Private Secretary in the Civil Service, acting as a liaison between the mayor and the local authority executive. The number of local authority staff working in a mayor's office should not exceed the level permitted for Ministers of State, i.e. 5

³⁰ The terms and conditions of special advisors may be found here: <https://www.per.gov.ie/en/special-advisers-pay/>

staff members, and all but the programme officer and special adviser would be appointed from within the existing local authority staffing complement.

- The directly elected mayor could also have a driver at his or her disposal. The local authority may provide a mayoral car at its own discretion and expense, otherwise the mayor could use his or her own car. The driver should be paid at the same rate as Ministers' drivers, which is €631.75 per week, or €665.00 per week for drivers who will become members of the Single Pension Scheme.³¹

The package of supports provided to the directly elected mayor would be subject to approval by the local authority as part of the annual budgetary process.

9.5 Electoral expenses

Mayoral candidates could have a proportion of their electoral expenses reimbursed upon achieving a percentage of the quota of votes. For national elections, this is set at €8,700; a similar sum could be considered for candidates for mayoral elections.³²

Estimated costs and potential benefits: The estimated costs and potential benefits are set out in the tables below. The costs will be met by the local authorities from their own resources.

Estimated Costs	€ per annum
Mayoral salary	129,854 (Minister of State)
Mayoral vouched allowance	16,000
Special advisor's salary	66,741
Programme officer's salary	66,741
Driver's salary (Single Pension Scheme)	34,580
Estimate per local authority	313,916
Total for 3 local authorities	941,748

³¹ Available at: <https://hr.per.gov.ie/wp-content/uploads/2011/08/Guidelines-for-the-staffing-of-Ministerial-Offices3.docx>

³²

http://www.citizensinformation.ie/en/government_in_ireland/elections_and_referenda/national_elections/election_expenses.html

10 Plebiscites

10.1 Date:

It is proposed that the plebiscites on directly elected mayors with executive functions could be held at the same time and on the same day as the local government elections in May 2019.

10.2 Locations:

In line with the Government decision of 27 September 2018, and the provisions of the Local Government Act 2019, plebiscites will be held in the local authority areas of Cork City Council, Limerick City and County Council, and Waterford City and County Council.

10.3 Voting:

Franchise Section in the Department of Housing, Planning and Local Government will draw up ballot papers for the plebiscite. The main features of the vote will be:-

- Ballot papers will ask the voter to vote 'yes' or 'no' to the proposal to establish offices of directly elected mayors with executive functions in their electoral areas based on specific proposals to be published by Government.
- The precise wording of the question on the plebiscite ballot paper will be wording will be finalised in consultation with Department of the Taoiseach in advance of the launching of the public information campaign. Legal advice from the Office of the Attorney General will need to be sought on the wording of the question.
- This means that, in Cork City, the electorate of the newly expanded Cork City would be asked to vote on whether they want a directly elected mayor with executive functions for the City Council.
- In the cases of Limerick and Waterford City and County Councils, the electorate of the entire City and County areas would be asked whether they want a directly elected mayor with executive functions for the City and County Council.

- Different ballot papers will be required for each of the three local authority areas, as electors will be voting on the matter of a directly elected mayor with executive functions for their local authority area.
- The local government elections and the plebiscites on directly elected executive mayors will take place side by side, with separate ballot papers for each.

10.4 Electors:

It is proposed that everyone in the relevant local authority areas, who is entitled to vote in the local government elections, would be entitled to vote in a plebiscite on directly elected mayors with executive functions in their local authority area.

Accordingly, it is proposed that the local authority electoral register be used for the plebiscites as well as the local elections. Voting cards will be sent out to electors no later than 30 days in advance of the local elections and plebiscites.

10.5 Regulations for plebiscites:

Regulations for the holding of the plebiscites, and necessary requirements and arrangements, will be made by the Minister. The regulations may specify:

- the form and wording of the ballot paper,
- the arrangements and requirements in relation to the information to be published and distributed to the voters,
- the appointment, duties and staff of the returning officer, and
- the taking of the poll, ballot papers, voting and counting of votes, maintaining the secrecy of voting, behaviour at polling stations, interfering with the vote or voting documents, location of the poll, polling information cards, special voting arrangements, offences, etc.

10.6 Information for voters:

Information for electors on the proposals to be voted on in the plebiscites will be drawn up by the Department for Housing, Planning and Local Government. The information will be sent to local authorities for distribution to electors.

The local authorities in whose areas the plebiscites are being held will publish and distribute the information to electors in their respective areas, not later than 30 days

before the date of the plebiscites, i.e. by 24/25 April. The sub-group working on the precise wording of the ballot paper question will also agree on the information to be issued to electors.

The information on the proposals to be circulated to electors will include a description of the functions of the proposed mayor, oversight and accountability arrangements, impacts on existing local authority arrangements and structures, and estimated costs of the proposed mayoral office. Other information may include the pros and cons of the proposal and impacts on any other bodies or arrangements that are considered relevant.

It should be noted that the public information campaign will be subject to the same constraints and the case law from the McKenna/McCrystal cases about the expenditure of public resources as would apply to a constitutional amendment referendum.

A public information campaign will be mounted by the Department of Housing, Planning and Local Government in conjunction with the relevant local authorities, to be launched no later than 12 April, 2019.

10.7 Estimated costs:

It is proposed that the local authorities which will hold plebiscites on directly elected mayors with executive functions will meet the costs of the plebiscites from within their own resources. However, as it is proposed that the plebiscites for directly elected mayors with executive functions would take place at the same time as the 2019 local elections, a number of costs for the plebiscites could be minimised including costs for ballot boxes, papers, furniture and Returning Officers.

Costs may include the publication and distribution of information to electors, as well as additional costs incurred in counting ballots from the plebiscites.

Information for voters:

- An information booklet will be circulated to voters. This could be produced and translated within the Department and provided to local authorities for distribution.
- There will be costs associated with translating the information booklet into Irish. However, it is understood that the information booklet will have to be produced first, following which an accurate quote from a translator or translators may be obtained.
- There will be no Referendum Commission for the plebiscites on directly elected mayors. However, the information campaign will have associated costs. For the 2015 referendum on marriage equality, there was a budget of €1.5 million, with costs of €1,193,000. The number of local electors nationally as of February 2018 was 3,405,347. The number of electors in Limerick and Waterford was 227,019 in February 2018; the number of electors in the expanded Cork City is 148,740 as of February 2019, giving a total estimate of 375,759. This represents approximately 11.03% of the national electorate. Assuming that the costs of the Referendum Commission will be similar to the plebiscite information campaign, and that the costs will be proportional to the number of electors in each local authority (11.03% of €1,193,000), the estimated cost of the information campaign across the three local authority areas would be €131,588.
- Polling cards: Following engagement with Franchise, it is considered that the same polling cards will be used for both the local elections and the plebiscites.
- Ballot papers: The cost estimate is €3,872 for 400,000 papers.
- Returning Officer costs: No additional Returning Officer or Referendum Returning Officer Costs are included, as (1) the plebiscites will take place during the local authority elections, and (2) it is not considered at this stage that there will be a Plebiscite Returning Officer.

Estimate of total costs associated with the running of three plebiscites (Cork City, Limerick City and County, and Waterford City and County):

Cost item	Amount €
Information campaign	132,000
Ballot papers	4000
Counting staff (assuming 12 staff per local authority) @ rate of €27 per hour for 6 hours	6000
Venue hire – one additional day	5000
Translation of material	5000
Total cost	152,000

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